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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,312	07/27/2001	Hown Cheng	Stream-09US	9556
27728	7590	04/13/2006	EXAMINER COLEMAN, ERIC	
LAW OFFICES OF IMAM 111 N. MARKET STREET, SUITE 1010 SAN JOSE, CA 95113			ART UNIT 2183	PAPER NUMBER
DATE MAILED: 04/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/917,312

Applicant(s)

CHENG ET AL.

Examiner

Eric Coleman

Art Unit

2183

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 March 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.


ERIC COLEMAN
PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: of the reasons stated in the final rejection. The applicant argues in the remarks that the cited references did not teach a register group for updating status of tasks related to critical tasks and another register group... wherein the processing unit need access status of registers only in the register group for execution of time-critical tasks thereby avoiding saving and restoring status of the another group for execution of time critical tasks. Applicant argues that Malingaiah taught a hierarchical structure versus a partitioned resources. The Examiner contends that providing of a top level of registers (64 primary registers) and a floating point hierarchical level provide provides for the partitioning of resources into separate groups of registers where the use for time critical tasks is taught by Mahahalinah col. 12, lines 44-57 and the less time critical special registers are allocated to remote special registers located throughout the microprocessor (see col. 13, lines 9-23)[there are clearly a different groups of registers for different puposes where the top level are time-critical] As to the limitation of avoiding saving.. This is functional limitation or intended use. The elements and steps of the claims are taught by the references as detailed in the final rejection. As to the reason to combine Mahalingah provided a system that provided for dividing registers for access to registers for time critical and less time critical tasks (eg. see col. 12, line40-col. 13 line 23); Ozcelik taught (col. 9, lines 39-49) addressing the problems of task management in response to time critical tasks and non-time critical tasks wherein the time critical tasks are being processed (e.g., see col. 2, line 62-col. 3, line 14) and Chen taught partitioning a program into time or performance critical and non- performance critical portions (e.g., see col. 2, line 53-col. 3, line 15) Each of these references is directed to problems of processing in the situation when there are time critical and non-time critical tasks] Consequently one of ordinary skill would have been motivated to incorporate the teachings of each to deal with data processing problems when time critical and non-time critica tasks are present at least to ensure time critical tasks are processing in a timely manner.